

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

CHARLES C. KRAFCZEK :
Plaintiffs :
v. :
AMERICAN CUSTOM GOLFCARS, INC.: **CIVIL ACTION NO. 22-286**
and :
DANIEL V. HOOGENRAAD :
Defendants :

ORDER

This _____ day of _____, 2023, it is hereby
ORDERED that a default judgment is entered against Defendants, American Custom Golfcars,
Inc. and Daniel V. Hoogenraad, in this action.

Plaintiff shall be permitted to conduct an accounting of his damages within 90 days of the date of this Order. Such accounting shall either be at the expense of Plaintiff, or the Court may refer Plaintiff to a financial or accounting consultant provided by this Court.

A hearing or trial on damages shall be held on _____ to determine the amount of compensatory and punitive damages due to Plaintiff. Within 21 days after the conclusion of such hearing or trial, Plaintiffs' counsel shall submit a motion for attorney's fees and expenses to this Court pursuant to Count I (New Jersey Consumer Fraud Act) of Plaintiff's Amended Complaint.

BY THE COURT:

, J.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

CHARLES C. KRAFCZEK	:	
Plaintiffs	:	
v.	:	
AMERICAN CUSTOM GOLFCARS, INC.:		CIVIL ACTION NO. 22-286
and	:	
DANIEL V. HOOGENRAAD	:	
Defendants	:	

PLAINTIFF’S MOTION FOR A DEFAULT JUDGMENT
AGAINST ALL DEFENDANTS AND FOR
AN ACCOUNTING OF AND TRIAL ON DAMAGES

Plaintiff, Charles C. Krafczek (Krafczek), by his counsel, Scott M. Pollins, moves this Court to enter default judgment against all Defendants, to conduct an accounting (or direct Plaintiff to have an accounting done) and schedule a hearing or trial on damages and in support thereof avers as follows:

1. Krafczek commenced this action by filing a Complaint on January 21, 2022 (ECF-1) against Defendants, Moke USA, LLC, formerly known as American Custom Golfcars, Inc. (ACG), and Daniel V. Hoogenraad (Hoogenraad).

2. In his Complaint, Krafczek alleged that in December 2020 he paid Defendants a 50% deposit of \$77,295 for the purchase of 12 custom golfcars. The golfcars were supposed to be delivered to Krafczek’s residence in Stone Harbor, New Jersey within 10-12 weeks after the deposit was paid. Despite repeated assurances and promises, Defendants failed to deliver any of the 12 custom golfcars Krafczek paid for. Eventually, Defendants stopped communicating with Krafczek in June 2021 and never returned Krafczek’s deposit.

3. Hoogenraad is the President of ACG. Hoogenraad is the person Krafczek exclusively interacted with through email and phone calls from December 2020 through June 2021.

4. Krafczek is suing ACG and Hoogenraad for violations of New Jersey's Consumer Fraud Act (Count I). Krafczek is also suing ACG for conversion (Count II), breach of contract (Count III), fraud (Count IV), negligent misrepresentation (Count V), unjust enrichment (Count VI), and breach of the covenant of good faith and fair dealing (Count VII).

5. Defendants were served with the summonses and Complaint on February 6, 2022 (ECF-3, service on Hoogenraad) and on February 16, 2022 (ECF-4, service on ACG).

6. Because neither Defendant had responded to Krafczek's Complaint, on March 29, 2022, Krafczek filed a Motion for Entry of Default by Clerk (ECF-5) and a Motion for Default Judgment (ECF-6).

7. On March 30, 2022, a Clerk's Entry of Default was entered against all Defendants.

8. On April 29, 2022, the Court issued a Order to Show Cause directing Krafczek to file an amended complaint properly alleging that this Court had subject matter jurisdiction.

9. Also on May 2, 2022, Krafczek filed an Amended Complaint against ACG and Hoogenraad (ECF-9). Also on May 2, 2022, Krafczek voluntarily dismissed Moke USA, LLC as a Defendant (ECF-8).

10. On September 7, 2022, the Court denied Krafczek's motion for default judgment without prejudice (ECF-10).

11. On November 30, 2022, Krafczek filed an Affidavit of Service of Summons and Amended Complaint (ECF-14).

12. On February 14, 2023, Krafczek filed another affidavit of service of summons and amended complaint stating that on February 3, 2023, ACG had been personally served with a summons and the amended complaint at 1486 E. Francis Street, Ontario, CA 91761 (ECF-16).

13. Also on February 14, 2023, Krafczek filed another affidavit of service of summons and amended complaint stating that on February 6, 2023, Hoogenraad had been personally served with a summons and the amended complaint at 7496 Lower Creek Street, Corona, CA 92880 (ECF-17).

14. On March 2, 2023, a Clerk's Entry of Default was entered against ACG and Hoogenraad.

15. As of the date this Motion is filed, Defendants have failed to file a response to Plaintiff's Complaint.

16. Pursuant to F.R.Civ.P. 12(a)(1)(A)(i), Defendants were required to serve and file their answer to Plaintiffs' pleading within 21 days after being served.

17. Hoogenraad should have served his responsive pleading by no later than February 27, 2023, and ACG should have served its responsive pleading by February 24, 2023.

18. Defendants have not filed their responsive pleading, requested an extension of time to do so or otherwise explained their failure to comply with the rules of civil procedure.

19. In Count I (New Jersey Consumer Fraud Act) of his Amended Complaint, Krafczek seeks declaratory and equitable relief, money damages for the \$77,295 deposit Krafczek paid, treble damages, interest, and attorney's fees and costs.

20. In Counts II (Conversion) and IV (Fraud) of his Amended Complaint, Krafczek seeks an unliquidated amount of money damages, including the money damages sought in Count I plus punitive damages.

21. In Count III (Breach of Contract), V (Negligent Misrepresentation), VI (Unjust Enrichment), and VII (Breach of the Covenant of Good Faith and Fair Dealing) of his Amended

Complaint, Krafczek seeks an unliquidated amount of money damages, including the money damages sought in Count I.

22. The money damages sought in Count I (New Jersey Consumer Fraud Act) of Plaintiffs' Amended Complaint are capable of computation to a sum certain by using the \$77,295 deposit Krafczek paid, multiplying that payment by three (New Jersey Consumer Fraud Act treble damages), and adding Krafczek's attorney's fees and costs. The money damages sought in Count III (Breach of Contract) of Plaintiffs' Amended Complaint are capable of computation to a sum certain by using the \$77,295 deposit Krafczek paid, calculating the interest on that payment since December 2020.

23. Attached as ***Exhibit 1*** is Plaintiff's counsel's Affidavit in Support of Request for Entry of Default Judgment Against All Defendants.

24. Pursuant to F.R.Civ.P. 55, Krafczek respectfully requests that the Court enter a default judgment against all Defendants pursuant to the attached proposed Order.

25. Pursuant to F.R.Civ.P. 55(b)(2), Krafczek respectfully requests that the Court conduct hearings or make referrals to conduct an accounting and determine the amount of Krafczek's money damages plus any equitable and declaratory relief and attorney's fees and costs for Count I (New Jersey Consumer Fraud Act) of Krafczek's Complaint and to investigate any other matter that the Court deems appropriate.

Respectfully submitted,

By: /s/ Scott M. Pollins
Scott M. Pollins
Pollins Law
800 Westdale Avenue
Swarthmore, PA 19081
(610) 896-9909 (phone)/(610) 896-9910 (fax)
scott@pollinslaw.com (email)
Attorney for Plaintiff, Charles C. Krafczek

Date: 6/13/23

EXHIBIT 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

CHARLES C. KRAFCZEK	:	
Plaintiffs	:	
v.	:	
AMERICAN CUSTOM GOLFCARS, INC.:	:	CIVIL ACTION NO. 22-286
and	:	
DANIEL V. HOOGENRAAD	:	
Defendants	:	

**AFFIDAVIT OF SCOTT M. POLLINS, PLAINTIFF’S COUNSEL, IN SUPPORT OF
PLAINTIFF’S APPLICATION FOR ENTRY OF DEFAULT JUDGMENT
AGAINST ALL DEFENDANTS**

I, Scott M. Pollins, duly depose and state the following:

1. I am an attorney licensed to practice in the State of New Jersey and before the U.S. District Court for the District of New Jersey.

2. I represent the Plaintiff, Charles C. Krafczek (Krafczek).

3. The statements contained in the attached Plaintiff’s Motion for Default Judgment Against All Defendants and for an Accounting of and Trial on Damages are true and correct to the best of my knowledge, information and belief.

4. There is one individual Defendant – Daniel V. Hoogenraad (Hoogenraad). Hoogenraad is not an infant. Upon information and belief, Leach is not incompetent or in the military. ***Exhibit 1***, June 13, 2023 Status Report Pursuant to Servicemembers Civil Relief Act provided by the Department of Defense Manpower Data Center confirming Hoogenraad is not in active military service.

5. Counts I-VII of Krafczek’s Amended Complaint seek money damages for Defendants’ failure to deliver 12 custom golfcars to Krafczek after Krafczek paid a 50% deposit of \$77,295.

6. On November 23, 2020, Krafczek exchanged emails with Hoogenraad about purchasing ACG’s golfcars. ***Exhibit 2***.

7. On December 2, 2020, Krafczek emailed Hoogenraad to inquire about placing an initial order for about 8-12 of ACG’s vehicles. ***Exhibit 3***.

8. On December 22, 2020, ACG issued an estimate for Krafczek for Krafczek’s purchase of 7 of ACG’s golfcars (Moke Deluxe Model LSV). ***Exhibit 4***. The total of the estimate was \$154,590. ***Id.*** The estimate stated that the “[I]lead time to complete order is 10-12 weeks from confirmation of deposit.” ***Id.*** at p. 3.

9. On December 29, 2020, Krafczek wired to ACG the sum of \$77,295 as a 50% down payment for the initial order of ACG's vehicles. **Exhibit 5.**

10. On January 21, 2021, Krafczek exchanged emails with Hoogenraad regarding the status of Krafczek's order. Hoogenraad stated that "The cars are in production at the factory overseas and are being readied, they I should have an update on them by Monday as far a ETA to ship to us here in California. I will let you know as soon as they get me the update." **Exhibit 6.**

11. On January 29, 2021, Krafczek emailed Hoogenraad inquiring about the status of the order. Krafczek indicated that he's sold 4 of the 12 total ACG vehicles he intended to purchase. **Exhibit 6.**

12. On February 4 and March 8, 2021, Krafczek emailed Hoogenraad to inquire about when the ACG vehicles he had ordered and paid for would be delivered to him. **Exhibit 7.**

13. Having not heard anything from ACG or Hoogenraad, Krafczek emailed Hoogenraad on March 15, 2021 to again request a response regarding his order. Hoogenraad responded later that day and stated:

On Mon, Mar 15, 2021 at 8:54 PM Info@ <info@californiaroadster.com> wrote:

Charles,

Hello, sorry we have been out of the office for a couple weeks as one of the guys tested positive for Covid and since we work in close quarters we all had to go out and quarantine and test. I have emailed the factory for an update since they are now back from Chinese New Year. I will send you their update on the morning when I get it. I know the cars are in production but I don't know the exact phases for each unit. That is the question I sent them this evening which is their morning.

Regards,
Dan

Sent from my iPhone

Exhibit 8. On March 17, 2021, Krafczek emailed Hoogenraad and asked him whether he had heard from the factory regarding his order. **Id.**

14. On March 22, 2021, Krafczek emailed Hoogenraad to again ask about the expected time of arrival of the ACG vehicles he had ordered and paid for.

Subject: Moke Eta
From: Charles Krafczek <ckrafczek@gmail.com>
Date: Mon, March 22, 2021 7:15 am
To: "Info@" <info@californiaroadster.com>

Hi Dan, did you receive an Eta on the vehicles - May 2 is the Spring Tide Festival, which is an outdoor festival here and I would like to feature a couple of the cars there.

I have 8 cars spoken for and am considering ordering at least another 6 cars - 3 white 2 black and 1 pale blue - but I would need some assurances as to delivery dates etc - I can't receive them at the end of the summer would need them by July 1 at the latest.

Please update me asap. Thanks so much. CK

--

Charles C. Krafczek
Charles Street Developers, LLC
P.O. Box 482
Stone Harbor, NJ 08247
(609) 408-6799

15. On March 23, 2021, Hoogenraad responded to Krafczek as follows:

On Tue, Mar 23, 2021 at 2:17 PM <info@californiaroadster.com> wrote:

Good morning Charles,

Yes I did receive your emails and wow you are on fire with the cars! I am working on getting the delivery dates for you but with the delays in the LA Harbor its been hard to nail down solid dates. The units are coming in mixed containers with other cars and the first container is supposed to finally be at our door on April 6 according to customs and the freight forwarder. I am waiting to hear for the status updates on the remaining cars and as soon as I have them I will get back to you right away. The first couple with trickle in but the rest will come in full load containers for you.

Regards,
Dan

American Custom Golf Cars
1486 E. Francis St.
Ontario, CA 91761
Tel: 909-597-2885
Fax: 909-597-7183
www.californiaroadster.com

16. Later on March 23, Krafczek and Hoogenraad exchanged emails in which Hoogenraad stated he firmly believed "by June 1 you will have them all at your location." See below email exchange.

Subject: Re: Moke Eta
From: Charles Krafczek <ckrafczek@gmail.com>
Date: Tue, March 23, 2021 11:41 am
To: "Info@" <info@californiaroadster.com>

Ok thanks - if you had to guess do you think we will have them all by June 1 ? Will you ship them separately to me - or all 12 at once or 6 at a time ? What makes the best sense. I would like to have a couple on hand asap thanks. CK

On Tue, Mar 23, 2021 at 3:11 PM <info@californiaroadster.com> wrote:

Charles,

Yes I firmly believe by June 1 you will have them all at your location. We will ship them at the very least 2 at a time for the first few and then try to send the remainder in a full truckload.

Regards,
Dan

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Tel: 909-597-2885
Fax: 909-597-7183
www.californiaroadster.com

Subject: Re: Moke Eta
From: Charles Krafczek <ckrafczek@gmail.com>
Date: Tue, March 23, 2021 12:15 pm
To: "Info@" <info@californiaroadster.com>

Ok great - Also Im not sure if I mentioned but I need a couple specialty tops - 1 Black and White stripe and 1 Navy and White striped and I would like a Red and White Striped as well - do you stock these or do they have to be custom made ?

Thanks. CK

On Tue, Mar 23, 2021 at 4:44 PM <info@californiaroadster.com> wrote:

Charles,

We don't stock those but I will get them on order for you right away. To confirm 1 Black with white stripes, 1 navy and white and 1 red and white.

Regards,
Dan

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17. On April 13, 2021, Krafczek exchanged emails with Hoogenraad to again inquire about the status of the ACG vehicles he ordered and paid for being shipped to him. See below emails.

On Apr 13, 2021, at 9:20 AM, Charles Krafczek <ckrafczek@gmail.com> wrote:

Hi Dan. Pls let me know when any of the units are shipping. I sold a Red one the other day. Perhaps a call is better to discuss another order and timing for the next order.

Thanks. Charles

Sent from my iPhone

On Tue, Apr 13, 2021 at 12:23 PM Info@ <info@californiaroadster.com> wrote:
Charles, I'm out of the office today but I will call you tomorrow to discuss and update you.

Thank you,
Dan

Sent from my iPhone

On Tue, Apr 13, 2021 at 3:01 PM Charles Krafczek <ckrafczek@gmail.com> wrote:
Sounds good. Thanks. CK

18. By this point in mid-April 2021, the latest expected delivery of the ACG vehicles Krafczek had ordered and paid \$77,295 for had come and gone (12 weeks after 12/22/2020 is 3/16/21).

19. On April 15, 2021, Hoogenraad emailed Krafczek as follows:

On Apr 15, 2021, at 1:19 PM, info@californiaroadster.com wrote:

Charles, I can be available around 11am PST. Sorry just got in and read your email. We did finally get a solid date from the harbor that the first of your units will be finally be at the dock on April 25th. so we need them for about a week to do our thing to them and then we can get them to you right after that.

Let me know,
Dan

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Ontario, CA 91761
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Fax: 909-597-7183
www.californiaroadster.com

On Thu, Apr 15, 2021 at 2:10 PM <info@californiaroadster.com> wrote:

I'm waiting for the customs broker to send me the manifest on the container that will be cleared, once I get that I will have color and quantity that I can give to you. Typically to ship from us to NJ is about 4-6 days since it is a common shipping route its pretty easy to get a timely pick up. I should know by tomorrow afternoon the first amount and colors of cars that we will receive for you and then I can update you.

Regards,
Dan

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Ontario, CA 91761
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Fax: 909-597-7183
www.californiaroadster.com

20. On April 26 and 29 and May 10, 2021, Krafczek emailed Hoogenraad as follows:

On Mon, Apr 26, 2021 at 2:18 PM Charles Krafczek <ckrafczek@gmail.com> wrote:

Hi Dan - did our units arrive at your facility ? Hoping to get a firm eta in NJ - customers lined up - Covid has definitely fueled demand here. pls let me know asap. Thanks. Charles

On Thu, Apr 29, 2021 at 1:28 PM Charles Krafczek <ckrafczek@gmail.com> wrote:

Any clarity will help - I have people calling me every day to ask when they can see them in person - been telling everyone the week of May 10 - is this good eta ?? thanks. CK

Subject: Re: Moke Eta
From: Charles Krafczek <ckrafczek@gmail.com>
Date: Mon, May 10, 2021 9:55 am
To: "Info@" <info@californiaroadster.com>

Dan - I left you message by phone last week. Can u please provide an update here - Memorial Day is 3 weeks away and I don't even have an eta on these units.

21. Finally on May 10, 2021, Hoogenraad responded to Krafczek and stated as follows:

On Mon, May 10, 2021 at 1:23 PM <info@californiaroadster.com> wrote:

Charles,

I finally got confirmation from Customs and Freight Broker that we will have the container on our dock today around 2pm. There should be at least one of your units in the container that will be here today. Once the container arrives here I will take photos and send them to you to confirm. The next container should have 4 more units and the next one should arrive with 6. The 4 unit one is due to arrive at the harbor any day and as they are finally moving at 50% capacity we should not have to wait too long for it.

I will update you in about 3 hours with more info.

Regards,
Dan

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1486 E. Francis St.
Ontario, CA 91761

Tel: 909-597-2885
Fax: 909-597-7183
www.californiaroadster.com

22. On May 11, 2021, Hoogenraad emailed Krafczek and claimed that the container with the first of Krafczek's ACG vehicles had arrived. See below.

On May 11, 2021, at 9:14 PM, Info@ <info@californiaroadster.com> wrote:

Charles,

Yes I am happy to report the container arrived. It has the first of your Mokes. The next container has multiple units. We will begin to assemble this one this week and look to have it done by end of week for shipping.

Regards,

Dan

<image0.jpeg><image1.jpeg><image2.jpeg>

Sent from my iPhone

23. The emails pasted into paragraphs 14-22 are also attached as ***Exhibit 9***.

24. On May 14-15, 2021, Krafczek exchanged emails with Hoogenraad in which Hoogenraad made promises that the initial ACG vehicle should be ready for pick up by Krafczek on Wednesday (May 19, 2021) and the vehicle will come with VIN, documents and read view camera to meet current NHTSA requirements. ***Exhibit 10***.

25. On May 19, 2021, Krafczek emailed Hoogenraad as follows:

----- Original Message -----

Subject: ???

From: Charles Krafczek <ckrafczek@gmail.com>

Date: Wed, May 19, 2021 3:24 pm

To: "Info@" <info@californiaroadster.com>

Is May 19 now I ordered 5 month ago. I've been very patient but I really need some consistent communication and follow thru. I feel like I'm last on your list of priorities. Pls update. Thx CK

Sent from my iPhone

--

Charles C. Krafczek
Charles Street Developers, LLC
P.O. Box 482
Stone Harbor, NJ 08247
(609) 408-6799

26. On May 21, 2021, Hoogenraad emailed Krafczek as follows:

On Fri, May 21, 2021 at 8:04 PM <info@californiaroadster.com> wrote:

Charles,

Your car has finally been picked up by the shipper, they aim to have the car to you before the end of the week next week. I have attached scans of the final invoice for this unit as well as a scan of the MCO. The first owner position on the back has been left blank so that you can register it how you want. It is signed off as ACG as the dealer so you should not have any problem putting it in your name right away. On Monday I will send the originals to you overnight as well as the information the shipper so that you have it.

Have a great weekend,
Dan

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The documents Hoogenraad emailed in his above email are attached as ***Exhibit 11***.

27. On May 23 and 24, Krafczek emailed Hoogenraad to ask about the status of the other ACG vehicles he had ordered and whether he could track the one ACG vehicle that was supposedly on its way to Krafczek. See below emails.

On Sun, May 23, 2021 at 11:45 AM Charles Krafczek <ckrafczek@gmail.com> wrote:

Thanks for the update and I appreciate you sending this first one with the ability to title this in my name - we will use this to show to all the customers that reserved / purchased the other 11 units and as long as the test drive goes well with everyone we will likely place a very large order for 24 units most of which will be white as we are leaning toward customizing them going forward with "wraps" so each unit is unique for that particular customer. If we were to order 24 units what is the realistic delivery date - any shot at August of this year ? Please also let me know if more of my units have arrived at your facility and which colors so I can inform customers - many of them are texting me almost daily as Memorial Day approaches.

Thanks. Charles

On May 24, 2021, at 10:22 AM, Charles Krafczek <ckrafczek@gmail.com> wrote:

Hi Dan, is there a way to track when the vehicle will arrive ? Will the shipper reach out to me by phone to schedule ? Thanks. Charles

28. By Tuesday afternoon May 25, 2021, Krafczek had not received the original documents Hoogenraad had told him he would receive by overnight mail. See below email Krafczek sent to Hoogenraad.

----- Original Message -----

Subject: Re: Moke Eta

From: Charles Krafczek <ckrafczek@gmail.com>

Date: Tue, May 25, 2021 2:07 pm

To: "Info@" <info@californiaroadster.com>

Also did u overnight the docs ?

Sent from my iPhone

28. On May 26 and 27, 2021, Krafczek and Hoogenraad exchanged emails in which Hoogenraad stated that the freight broker should be calling Krafczek to set up a delivery appointment and he should receive delivery before 3pm on May 28, 2021. **Exhibit 12.**

29. By June 1, 2021, Krafczek had not received the initial ACG vehicle nor had he heard from ACG's shipper to arrange for delivery. **Exhibit 13**, Krafczek's June 1 email to Hoogenraad.

30. On June 9, 2021, Krafczek had still not received the initial ACG vehicle Hoogenraad had told him he would receive on May 28. Krafczek emailed Hoogenraad, informed Hoogenraad he had not been contacted by the shipper and asked Hoogenraad about the status of the other ACG vehicles he had ordered. **Exhibit 13.**

31. On June 11 and 14, 2021, Krafczek again emailed Hoogenraad. Finally, on June 14, Hoogenraad emailed Krafczek and claimed that he's working on the delivery date. He claimed that the shipping broker ACG used to pick up the vehicle trans-loaded it mid-route. **Exhibit 13.**

32. Despite emailing Hoogenraad on June 19 and 21, and July 6, 14 and 16, 2021, Krafczek never again heard anything from ACG or Hoogenraad. **Exhibit 13.**

33. By this time, Krafczek had paid ACG \$77,295 in late December 2020 for ACG vehicles he should have received by no later than the end of March 2021. Hoogenraad had repeatedly made false statements to Krafczek regarding Krafczek's order and when he would receive the ACG vehicles he had already paid nearly \$80,000 for. Defendants failed to deliver any of the custom golfcars Krafczek ordered notwithstanding repeated promises to do so.

34. Defendants repeatedly made misleading and false assurances to Krafczek. Defendants' conduct violated the New Jersey Consumer Fraud Act. Accordingly, Defendants owe Krafczek not just the return of his \$77,295 deposit plus interest but also treble damages and attorney's fees and costs. Additionally, Defendants owe Krafczek punitive damages due to engaging in fraud and conversion against Krafczek.

35. I will provide the Court with a copy of my firm's attorney's fees and costs either prior to or at a damages hearing so that the amount to be assessed damages for Count I (New Jersey Consumer Fraud Act) of the Amended Complaint can be calculated.

36. I make the foregoing statements subject to the penalties relating to unsworn falsification to authorities.

Respectfully submitted,

By: /s/ Scott M. Pollins
Scott M. Pollins
Pollins Law
800 Westdale Avenue
Swarthmore, PA 19081
(610) 896-9909 (phone)/(610) 896-9910 (fax)
scott@pollinslaw.com (email)

Date: 6/13/23

Attorney for Plaintiff, Charles C. Krafczek

EXHIBIT 1

Department of Defense Manpower Data Center

Results as of : Jun-13-2023 01:32:11 PM

SCRA 5.16



Status Report Pursuant to Servicemembers Civil Relief Act

SSN:

Birth Date: Oct-XX-1973

Last Name: HOOGENRAAD

First Name: DANIEL

Middle Name: V

Status As Of: Jun-13-2023

Certificate ID: DP0D0H5R8WPX4BZ

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects the individuals' active duty status based on the Active Duty Status Date			

Left Active Duty Within 367 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects where the individual left active duty status within 367 days preceding the Active Duty Status Date			

The Member or His/Her Unit Was Notified of a Future Call-Up to Active Duty on Active Duty Status Date			
Order Notification Start Date	Order Notification End Date	Status	Service Component
NA	NA	No	NA
This response reflects whether the individual or his/her unit has received early notification to report for active duty			

Upon searching the data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the individual on the active duty status date as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or his/her unit receiving notification of future orders to report for Active Duty. HOWEVER, WITHOUT A SOCIAL SECURITY NUMBER, THE DEPARTMENT OF DEFENSE MANPOWER DATA CENTER CANNOT AUTHORITATIVELY ASSERT THAT THIS IS THE SAME INDIVIDUAL THAT YOUR QUERY REFERS TO. NAME AND DATE OF BIRTH ALONE DO NOT UNIQUELY IDENTIFY AN INDIVIDUAL.

Michael V. Sorrento, Director
Department of Defense - Manpower Data Center
400 Gigling Rd.
Seaside, CA 93955

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense (DoD) that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The DoD strongly supports the enforcement of the Servicemembers Civil Relief Act (50 USC App. § 3901 et seq, as amended) (SCRA) (formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced only a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual was on active duty for the active duty status date, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's status by contacting that person's Service. Service contact information can be found on the SCRA website's FAQ page (Q35) via this URL: <https://scra.dmdc.osd.mil/scra/#/faqs>. If you have evidence the person was on active duty for the active duty status date and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 50 USC App. § 3921(c).

This response reflects the following information: (1) The individual's Active Duty status on the Active Duty Status Date (2) Whether the individual left Active Duty status within 367 days preceding the Active Duty Status Date (3) Whether the individual or his/her unit received early notification to report for active duty on the Active Duty Status Date.

More information on "Active Duty Status"

Active duty status as reported in this certificate is defined in accordance with 10 USC § 101(d) (1). Prior to 2010 only some of the active duty periods less than 30 consecutive days in length were available. In the case of a member of the National Guard, this includes service under a call to active service authorized by the President or the Secretary of Defense under 32 USC § 502(f) for purposes of responding to a national emergency declared by the President and supported by Federal funds. All Active Guard Reserve (AGR) members must be assigned against an authorized mobilization position in the unit they support. This includes Navy Training and Administration of the Reserves (TARs), Marine Corps Active Reserve (ARs) and Coast Guard Reserve Program Administrator (RPAs). Active Duty status also applies to a Uniformed Service member who is an active duty commissioned officer of the U.S. Public Health Service or the National Oceanic and Atmospheric Administration (NOAA Commissioned Corps).

Coverage Under the SCRA is Broader in Some Cases

Coverage under the SCRA is broader in some cases and includes some categories of persons on active duty for purposes of the SCRA who would not be reported as on Active Duty under this certificate. SCRA protections are for Title 10 and Title 14 active duty records for all the Uniformed Services periods. Title 32 periods of Active Duty are not covered by SCRA, as defined in accordance with 10 USC § 101(d)(1).

Many times orders are amended to extend the period of active duty, which would extend SCRA protections. Persons seeking to rely on this website certification should check to make sure the orders on which SCRA protections are based have not been amended to extend the inclusive dates of service. Furthermore, some protections of the SCRA may extend to persons who have received orders to report for active duty or to be inducted, but who have not actually begun active duty or actually reported for induction. The Last Date on Active Duty entry is important because a number of protections of the SCRA extend beyond the last dates of active duty.

Those who could rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected

WARNING: This certificate was provided based on a last name, SSN/date of birth, and active duty status date provided by the requester. Providing erroneous information will cause an erroneous certificate to be provided.

EXHIBIT 2

scott pollinslaw.com

From: info@californiaroadster.com
Sent: Monday, November 23, 2020 3:10 PM
To: Charles Krafczek
Subject: RE: Dealer Opprotunity
Attachments: 2011 ACG Dealer Application.pdf

Charles,
Apologies for that, since we are on "lockdown" we are running with only 1-2 people in the office so that we can have a larger workforce in the assembly department. If you reply with your number I would be happy to call you to discuss a dealer opportunity with us. In the meantime, I have attached a dealer application to this email so that you can fill it out and send it in and we can send you the dealer pricing so that you can see the margins that are possible in representing our cars.

Regards,
Dan
American Custom Golf Cars
1486 E. Francis St.
Ontario, CA 91761
Tel: 909-597-2885
Fax: 909-597-7183
www.californiaroadster.com

----- Original Message -----

Subject: Dealer Opprotunity
From: Charles Krafczek <ckrafczek@gmail.com>
Date: Mon, November 23, 2020 9:49 am
To: info@californiaroadster.com

Hi there I have called several times but no one answers - can you please call me to discuss dealership opportunities. Thanks. Charles Krafczek

EXHIBIT 3

scott pollinslaw.com

From: Charles Krafczek <ckrafczek@gmail.com>
Sent: Wednesday, December 2, 2020 4:02 PM
To: info@californiaroadster.com
Subject: Moke Dealer

Hi its Charles again - can you take a quick call to discuss dealer opportunities - I would like info on pricing and whether you have any territory limits etc in my area as well as a few other quick questions before I fill out the dealer application that you had sent.

I live in an affluent beach town in NJ where the speed limit on the entire seven mile island here is 25 mph - your Moke is a perfect fit for this demographic. I am looking to place an initial order of about 8-12 of the Moke vehicles.

Thanks. Charles Krafczek

EXHIBIT 4



Estimate

Date	Estimate #
12/22/2020	20074484

Name / Address
Stone Harbor Auto Group, LLC Charles Krafczek 9410 Second Ave Stone Harbor, NJ 08247

Ship To
Stone Harbor Auto Group, LLC Charles Krafczek 9410 Second Ave Stone Harbor, NJ 08247

			P.O. No.	Rep
				DH
Item	Description	Qty	Cost	Total
D Moke Deluxe	Moke Deluxe Model LSV Exterior Color: Black Interior Color: Black with white piping	3	12,200.00	36,600.00T
D Moke Floor Mat	Moke Logo Floor Mat	3	220.00	660.00T
D Moke Surf	Moke Custom Roof Mounted Surf Rack	3	375.00	1,125.00T
D Moke Deluxe	Moke Deluxe Model LSV Exterior Color: Black Interior Color: White with Black Piping	1	12,200.00	12,200.00T
D Moke Floor Mat	Moke Logo Floor Mat	1	220.00	220.00T
D Moke Surf	Moke Custom Roof Mounted Surf Rack	1	375.00	375.00T
D Moke Deluxe	Moke Deluxe Model LSV Exterior Color: White Interior Color: White with Black Piping	3	12,200.00	36,600.00T
D Moke Floor Mat	Moke Logo Floor Mat	3	220.00	660.00T
D Moke Surf	Moke Custom Roof Mounted Surf Rack	3	375.00	1,125.00T
D Moke Deluxe	Moke Deluxe Model LSV Exterior Color: White Interior Color: Black with White Piping	1	12,200.00	12,200.00T
			Subtotal	
Unless otherwise noted, estimates DO NOT include shipping charges.			Sales Tax (0.0%)	
			Total	

Signature

15% Cancellation Fee on all cancelled orders once estimate is signed and approved.

American Custom Golf Cars, Inc.
15740 El Prado Rd.
Chino, CA 91710

www.californiaroadster.com

909 597-2885
909 597-7183fax



Estimate

Date	Estimate #
12/22/2020	20074484

Name / Address
Stone Harbor Auto Group, LLC Charles Krafczek 9410 Second Ave Stone Harbor, NJ 08247

Ship To
Stone Harbor Auto Group, LLC Charles Krafczek 9410 Second Ave Stone Harbor, NJ 08247

			P.O. No.	Rep
				DH
Item	Description	Qty	Cost	Total
D Moke Floor Mat	Moke Logo Floor Mat	1	220.00	220.00T
D Moke Surf	Moke Custom Roof Mounted Surf Rack	1	375.00	375.00T
D Moke Deluxe	Moke Deluxe Model LSV Exterior Color: Powder Blue Interior Color: White with Black Piping	2	12,200.00	24,400.00T
D Moke Floor Mat	Moke Logo Floor Mat	2	220.00	440.00T
D Moke Surf	Moke Custom Roof Mounted Surf Rack	2	375.00	750.00T
D Moke Deluxe	Moke Deluxe Model LSV Exterior Color: Red Interior Color: Black with White Piping	1	12,200.00	12,200.00T
D Moke Floor Mat	Moke Logo Floor Mat	1	220.00	220.00T
D Moke Surf	Moke Custom Roof Mounted Surf Rack	1	375.00	375.00T
D Moke Deluxe	Moke Deluxe Model LSV Exterior Color: Red Interior Color: White with Black Piping	1	12,200.00	12,200.00T
D Moke Floor Mat	Moke Logo Floor Mat	1	220.00	220.00T
D Moke Surf	Moke Custom Roof Mounted Surf Rack	1	375.00	375.00T
			Subtotal	
Unless otherwise noted, estimates DO NOT include shipping charges.			Sales Tax (0.0%)	
			Total	

Signature

15% Cancellation Fee on all cancelled orders once estimate is signed and approved.

American Custom Golf Cars, Inc.
15740 El Prado Rd.
Chino, CA 91710

www.californiaroadster.com

909 597-2885
909 597-7183fax



Estimate

Date	Estimate #
12/22/2020	20074484

Name / Address
Stone Harbor Auto Group, LLC Charles Krafczek 9410 Second Ave Stone Harbor, NJ 08247

Ship To
Stone Harbor Auto Group, LLC Charles Krafczek 9410 Second Ave Stone Harbor, NJ 08247

P.O. No.	Rep
	DH

Item	Description	Qty	Cost	Total
D Moke Cover	Car Cover for Moke	6	175.00	1,050.00T
D Sony	AM/FM CD Sound System with Bluetooth	12	495.00	5,940.00T
No Charge Item	No Charge Item AM/FM CD Sound System with Bluetooth		-5,940.00	-5,940.00
50% Deposit Required to confirm order. Lead time to complete order is 10-12 weeks from confirmation of deposit.				
			Subtotal	\$154,590.00

Unless otherwise noted, estimates
DO NOT include shipping charges.

Sales Tax (0.0%) \$0.00

Total \$154,590.00

Signature _____

15% Cancellation Fee on all cancelled orders once estimate is signed and approved.

American Custom Golf Cars, Inc.
15740 El Prado Rd.
Chino, CA 91710

www.californiaroadster.com

909 597-2885
909 597-7183fax

EXHIBIT 5

Wire Transfer Services

Outgoing Wire Transfer Request

*Make SDI Deposit***WELLS
FARGO**

Today's Date:

12/29/2020

Wells Fargo Reference Number:

FW0067805364774448

Banker Name:

SUAREZ, CLAUDIA P

Officer/Portfolio Number:

CJ390

Banker Phone:

609/399-1303

Branch Number:

08928

Banker AU:

0067805

Banker MAC:

J2280-010

Outgoing wires can only be sent for Wells Fargo customers. Provide the Customer Copy to the customer ensuring you give them the Wire Transfer Agreement on pages 3 and 4. Note: Wells Fargo Wire Transfer Services will route wires based on correspondent banking relationships. See the Wire Transfer Information for explanations of the Mexican CLABE number, the SWIFT BIC, the International Routing Code ("IRC"), Indian Financial System Code (IFSC) and the International Bank Account Number ("IBAN").

Originator's Information

Originator Name:		Street Address:	
CHARLES C KRAFCZEK		10017 SUNSET DR.	
Primary ID Type:	Primary ID Description:	Address Line 2:	
PINV	PIN Validation		
Primary ID Su/Ctry/Prov:	Primary ID Issue Date:	Primary ID Expiration Date:	Address Line 3:
Secondary ID Type:	Secondary ID Description:	City:	State:
DLIC		STONE HARBOR	NJ
Secondary ID State/Country:	Secondary ID Issue Date:	Secondary ID Expiration Date:	ZIP/Postal Code:
NJ	09/07/2017	08/31/2021	08247-1340
Country:			US
Account Name:	Home Phone:		Business Phone:
CHARLES STREET DEVELOPERS LLC			609/408-6799

Wire Amount and Source of Funds

Create AU:	Amount (US Dollars):	Debit Wells Fargo Account:	Bank/COD:
0067805	\$77,295.00		

Beneficiary/Recipient Information (This is the ultimate recipient of the wire transfer funds)

Beneficiary/Recipient Name:	Name/Address Line 1:
American Custom Golfcars	1486 e Francis street
Beneficiary Account Number/IBAN (Foreign)/CLABE (Mexico):	Name/Address Line 2:
Purpose of Funds:	Name/Address Line 3:
	Ontario, CA, US
Additional Instructions:	Beneficiary Phone Number:
12 VEHICLES	

Customer Copy

Beneficiary Bank (This is the financial institution where the beneficiary maintains their account.)

ABA/RTN

SWIFT/BIC:

Beneficiary Bank Name:

322271627

JPMORGAN CHASE BANK, NA

Beneficiary Bank Address:

City:

State:

SEATTLE

WA

Additional Instructions:

Wire Fees

Wells Fargo wire transfer fees will be charged to the Originator's Debit Account. Wells Fargo Wire Transfer Fees are disclosed in your most recent Fee and Information Schedule and related amendments and, if applicable, on the Wells Fargo Combined Disclosure for Outgoing Consumer International Wires. Additional fees from intermediary and beneficiary banks may be charged to international transactions. My signature here indicates agreement to all of the information on this Outgoing Wire Transfer Request and to the terms and conditions of this request. Wells Fargo is authorized to rely on the information on this Request in making the requested funds transfer.

Customer Signature

Originator Name

CHARLES C KRAFCZEK

Originator Signature

☐

Submit manually

☐

Signature not required

Date:

12/29/2020

Customer Copy

Agreement For Outgoing Wire Transfer Requests ("Wire Transfer Agreement")

Responsibility of Wells Fargo. The wire transfer described in the Outgoing Wire Transfer Request (Page 1) ("Order") may be sent by wire telegraph, telephone, cable or whatever other transmission method Wells Fargo considers to be reasonable. The wire transfer may be transmitted directly to the Beneficiary Bank (the financial institution designated in the Request as the Beneficiary Bank), or indirectly to the Beneficiary Bank through another bank, government agency, or other third party that Wells Fargo considers to be reasonable. Wells Fargo may utilize any funds transfer system or intermediary bank reasonably selected by Wells Fargo, even if its selection differs from instructions in the request.

Agent. Wells Fargo may use agents of its choice to perform any of its obligations.

Limitation of Liability. Wells Fargo will not be liable for any loss or damage due to the failure, delay, or error of: (1) the method of transmission selected by Wells Fargo, (2) a third party selected by Wells Fargo to receive the Order, or (3) the Beneficiary Bank. IN NO EVENT WILL WELLS FARGO BE LIABLE FOR DAMAGES ARISING DIRECTLY OR INDIRECTLY IF THE ORDER IS EXECUTED BY WELLS FARGO IN GOOD FAITH AND IN ACCORDANCE WITH THE TERMS OF THIS AGREEMENT. REGARDLESS OF THE FORM OR NATURE OF ANY CLAIM OR ACTION, IN NO EVENT WILL WELLS FARGO BE LIABLE FOR PUNITIVE, INCIDENTAL OR CONSEQUENTIAL DAMAGES, WHETHER OR NOT WELLS FARGO SHALL HAVE BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.

Reliance on Information Provided. You acknowledge that you are responsible for providing Wells Fargo with all information required by the Beneficiary's bank, including the reason for payment, if required. Sending wires without the required information can cause the wire to be delayed, returned, or assessed additional fees. If a wire transfer request describes the person to receive the wire transfer ("Beneficiary") inconsistently by name and account number, the wire transfer may be made on the basis of the account number even if the account number identifies a person different from the Beneficiary. If a wire transfer request describes a financial institution inconsistently by name and identification number, the identification number may be relied upon as the proper identification of the financial institution.

International Wire Transfers. A Payment Order expressed in U.S. Dollars will be sent in U.S. Dollars. Company may request that prior to executing a Payment Order, Wells Fargo convert the amount to be transferred from U.S. Dollars to the currency of a designated foreign government or intergovernmental organization ("Foreign Currency").

Wells Fargo makes money when it converts one currency to another currency for you. The exchange rate provided to you is set by Wells Fargo in its sole discretion, and it includes a markup over Wells Fargo's cost of sourcing the relevant currency or currencies. The markup may be based on several factors, including without limitation costs incurred, market risks, services rendered, the client relationship, the transaction and our desired return.

The exchange rate Wells Fargo provides to you may be different from exchange rates you see online, in publications, at other banks or other foreign exchange providers. Also, different customers may receive different exchange rates for transactions that are the same or similar. The exchange rate may depend on the type of transaction being conducted, the dollar amount, type of currency, the date and time of the exchange and/or the factors noted above. The foreign exchange market is dynamic, so exchange rates can change rapidly. If you delay executing a transaction, the exchange rate may change and could even be significantly different. Wells Fargo reserves the right to refuse to process any request for a foreign exchange transaction. Wells Fargo will not be liable for any failure or delay by any financial institution or other third party in the designated foreign country in executing or failing to execute any Payment Order Wells Fargo transmits to a foreign country.

Refund. If the Beneficiary Bank does not pay the Beneficiary specified on the Order, a refund will be made only after Wells Fargo has received confirmation of the effective cancellation of the Order and Wells Fargo is in free possession of the funds debited or earmarked in connection with the Order. If the transaction is in Foreign Currency, Wells Fargo will not be liable to you for a sum in excess of the value of the Order after it has been converted back to U.S. Dollars at the exchange rate applied by Wells Fargo at the time the cancellation of the Order is confirmed by Wells Fargo.

Failure to Transfer Proper Amount. If Wells Fargo is notified that it did not transfer the full amount stated in the Request, Wells Fargo's sole liability will be to promptly execute a second Payment Order in the amount of the stated deficiency. If Wells Fargo executes an instruction in excess of the amount stated in the Request, to the extent that the originator does not receive the benefit of the Order, Wells Fargo will only be liable for any loss of the principal amount transferred in excess of the amount stated in the Request instructions.

Additionally, Wells Fargo will be liable for the amount of interest the originator has lost due to the transfer of the excess amount, computed at the then current Federal Funds rate. However, Wells Fargo's liability for loss of interest shall be limited to twenty (20) calendar day's interest. This section sets forth Wells Fargo's complete liability for the order issued under this agreement.

Finality of orders. The order will be final and will not be subject to stop payment or recall, except that Wells Fargo may, at the originator's request, make an effort to effect such stop payment or recall. In such case, Wells Fargo will incur no liability for its failure or inability to do so.

Fees. In addition to the outgoing wire transfer fee, additional fees may apply. Additional fees can include, but are not limited to: an additional fee for bank initiated transactions, amendment fees, statement fees, fees assessed by beneficiary and intermediary banks, etc. On international outgoing wires, if a SWIFT BIC, IRC, IBAN, or CLABE number is not provided the foreign banks may return the wire or assess a surcharge. Wells Fargo Wire Transfer Fees are disclosed in your most recent Fee and Information Schedule and related amendments.

Acts of God. Wells Fargo is excused for delays or failure to execute the Order to the extent that the delay or failure results from a cause beyond the reasonable control of Wells Fargo.

Wire Transfer Information

General Information: You can NOT have a bank as the final beneficiary, unless the wire is a payment to Wells Fargo (i.e.: mortgage, auto loan, etc.). We are required to know who the money is going to, to ensure the funds are not being used to support terrorist or drug activity. We need an account number for the beneficiary OR a complete physical address. No PO Boxes may be used when no account number is provided for the Beneficiary.

International Wires: Wires going to foreign countries require different numbers depending on the receiving foreign country. All wire transfer payments destined for Europe should include the SWIFT Bank Identifier Code (SWIFT BIC), International Routing Code (IRC) as applicable, and for participating countries the beneficiary's International Bank Account Number (IBAN). Mexican banks may require a CLABE number in addition to the SWIFT BIC.

1. **SWIFT Bank Identifier Code (SWIFT BIC).** The 8 or 11 character SWIFT BIC is a unique series of alpha numeric characters that help to identify a specific financial institution. The SWIFT BIC should be obtained from the beneficiary. To ensure timely delivery please be sure that International Outgoing wires include the SWIFT BIC where applicable.

2. **International Routing Code (IRC):** Some countries throughout the international banking community have created international routing codes, which are used in combination with the SWIFT BIC to aid in routing the payment through a main office to a branch. Each country has a specific name for their routing code (i.e., Sort Code in the United Kingdom, Canadian Payments Association Routing Numbers in Canada). Your beneficiary must provide the international routing code to facilitate receipt of an international payment. Sending a wire without the IRC number can delay the wire, or the receiving bank may return the wire when this number is not included in the payment instructions, and additional fees may be assessed.

3. **International Bank Account Number (IBAN):** The IBAN varies by country/institution. Warning! Only the bank servicing an account can provide the correct IBAN of that account and must be obtained from the beneficiary. Sending a wire to a participating country without the IBAN can delay the wire, or the receiving bank may return the wire when the IBAN is not included in the payment instructions, and additional fees may be assessed.

Customer Copy

Participating Countries that require an IBAN:

For participating IBAN countries and their requirements, please search for the "IBAN REGISTRY" at [swift.com](https://www.swift.com). Once located, search the Table of Contents for the appropriate country, and locate the country-specific requirements.

4. **Indian Financial System Code (IFSC):** Every Indian bank has a unique eleven (11) character alpha numeric code identifying the bank branch to receive the wire transfer. To ensure timely delivery, please be sure that international outgoing wires include the IFSC where applicable.
5. **Mexico CLABE Account Number:** Mexican banks may require an 18 digit CLABE account number be added to the Beneficiary Instructions to ensure payment. The CLABE number may be required on Mexican Peso (MXN) and USD payments sent to Mexico. The CLABE account number must be obtained from the beneficiary. Wells Fargo does not provide or calculate the CLABE. Sending a wire without a CLABE account number can delay the wire, or the receiving bank may return the wire if the CLABE is not included in the payment instructions, and additional fees may be assessed.
6. **Wells Fargo recommends** that if you do not have a SWIFT BIC, IBAN, IRC, IFSC or Mexican CLABE number, that you contact the beneficiary of the wire. If the beneficiary does not have the needed information, please have the beneficiary contact their bank to obtain the appropriate information. Sending International wires without the required information can cause the wire to be delayed, returned, or assessed additional fees. For International outgoing wires only. When sending in foreign currency, please ensure the beneficiary's account accepts the designated foreign currency.

Customer Copy



AMERICAN CUSTOM GOLFCARS, INC.

BUILDERS OF THE FINEST LUXURY GOLF AND ESTATE VEHICLES

*****New Wire Transfer Instructions as of December 01, 2019*****

ACG Bank Information to Send Wire Transfer To:

Bank Name: JPMorgan Chase Bank
3800 Grand Ave.
Chino Hills, CA 91709
(909) 591-2401

Account Number: [REDACTED]

Routing Number: 322271627

Beneficiary: American Custom Golf Cars, Inc.

Swift Code: CHASUS33

EXHIBIT 6

scott pollinslaw.com

From: Charles Krafczek <ckrafczek@gmail.com>
Sent: Friday, January 29, 2021 12:57 PM
To: info@californiaroadster.com
Subject: Re: Moke order eta and cup holder diameter

Hi Dan just checking in to see if you have an eta to Cali and then est to here in NJ. Just trying to plan financially as well so I can wire u the final pmt - I may want to place another order in early April. - I just sold one of the light blue ones so now we have 4 of the 12 spoken for. Thanks. CK

On Thu, Jan 21, 2021 at 7:39 PM <info@californiaroadster.com> wrote:

Charles,

Sorry its been a crazy 2 weeks, our parts guy came down with Covid and got a couple other people here sick so We have only had 1 person in the office at a time. The cars are in production at the factory overseas and are being readied, they I should have an update on them by Monday as far a ETA to ship to us here in California. I will let you know as soon as they get me the update. On the diameter, I didn't have a car here to measure so I ordered one of the cup holders but I have it now, the diameter is 2 3/4" and the depth is a 1 3/4". Its kinda small but they are the king that slide in and out. I attached a close up photo of it so you can see it in a little more detail.

Regards,
Dan

American Custom Golf Cars
1486 E. Francis St.
Ontario, CA 91761
Tel: 909-597-2885
Fax: 909-597-7183
www.californiaroadster.com

----- Original Message -----

Subject: Moke order eta and cup holder diameter
From: Charles Krafczek <ckrafczek@gmail.com>
Date: Thu, January 21, 2021 3:22 pm
To: info@californiaroadster.com

Hi Dan can you please provide me an update on the above I really appreciate it thanks so much
Charles

Sent from my iPhone

--
Charles C. Krafczek
Charles Street Developers, LLC
P.O. Box 482
Stone Harbor, NJ 08247
(609) 408-6799

EXHIBIT 7

scott pollinslaw.com

From: Charles Krafczek <ckrafczek@gmail.com>
Sent: Thursday, February 4, 2021 1:16 PM
To: info@californiaroadster.com
Subject: Eta ?

Hi Dan any eta here in NJ I, have a small sales team in place for marketing etc for the summer season and want to get them acquainted with the vehicles in person well before May. Any info is appreciated. Thanks. Charles

--

Charles C. Krafczek
Charles Street Developers, LLC
P.O. Box 482
Stone Harbor, NJ 08247
(609) 408-6799

scott pollinslaw.com

From: Charles Krafczek <ckrafczek@gmail.com>
Sent: Monday, March 8, 2021 1:44 PM
To: info@californiaroadster.com
Subject: Moke Order

Hi Dan, checking in on the status of the order - summer is coming and I have 5 sold now. What is your best guess on eta here in NJ. Also couple quick questions on titling the units here. Thanks. CK

--

Charles C. Krafczek
Charles Street Developers, LLC
P.O. Box 482
Stone Harbor, NJ 08247
(609) 408-6799

EXHIBIT 8

scott pollinslaw.com

From: Charles Krafczek <ckrafczek@gmail.com>
Sent: Wednesday, March 17, 2021 7:50 PM
To: Info@
Subject: Re: Moke Order

Hi Dan, believe it or not I sold two more of the white on white ones today - they would like a navy and white striped bimini top for one of them and black and white for the other - and two more surf racks please.

Please add these accessories to my existing order. Did you hear from the factory ? IS current lead time still 10-12 weeks if we would like to order more - I have 8 of the 12 spoken for already sight unseen.

Thanks so much. Charles

On Mon, Mar 15, 2021 at 8:54 PM Info@ <info@californiaroadster.com> wrote:

Charles,

Hello, sorry we have been out of the office for a couple weeks as one of the guys tested positive for Covid and since we work in close quarters we all had to go out and quarantine and test. I have emailed the factory for an update since they are now back from Chinese New Year. I will send you their update on the morning when I get it. I know the cars are in production but I don't know the exact phases for each unit. That is the question I sent them this evening which is their morning.

Regards,

Dan

Sent from my iPhone

> On Mar 15, 2021, at 11:26 AM, Charles Krafczek <ckrafczek@gmail.com> wrote:

>

>

> Hi Dan, I really need some kind of follow up from someone at your place. Maybe you are not getting my emails? I will try to call today as well. Thanks. Charles

>

> --

> Charles C. Krafczek

> Charles Street Developers, LLC

> P.O. Box 482

> Stone Harbor, NJ 08247

> (609) 408-6799

>

>

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EXHIBIT 9

On May 11, 2021, at 10:19 PM, Charles Krafczek <ckrafczek@gmail.com> wrote:

Great - thanks. Please keep me posted on additional units. They are all sold now. After I am able to drive this one and assuming it drives reasonably well I think we will place an order for 24 more units so we have them for next season. It appears as though white black and blue are the preferred colors so we will do 10 white, 7 blue and 7 black.

Thanks. Charles

On May 11, 2021, at 9:14 PM, Info@ <info@californiaroadster.com> wrote:

Charles,

Yes I am happy to report the container arrived. It has the first of your Mokes. The next container has multiple units. We will begin to assemble this one this week and look to have it done by end of week for shipping.

Regards,

Dan

<image0.jpeg><image1.jpeg><image2.jpeg>

Sent from my iPhone

On May 11, 2021, at 9:14 AM, Charles Krafczek <ckrafczek@gmail.com> wrote:

Hi Dan - did any arrive ??

On Mon, May 10, 2021 at 1:31 PM Charles Krafczek <ckrafczek@gmail.com> wrote:
Ok please do - thanks. CK

On Mon, May 10, 2021 at 1:23 PM <info@californiaroadster.com> wrote:

Charles,

I finally got confirmation from Customs and Freight Broker that we will have the container on our dock today around 2pm. There should be at least one of your units in the container that will be here today. Once the container arrives here I will take photos and send them to you to confirm. The next container should have 4 more units and the next one should arrive with 6. The 4 unit one is due to arrive at the harbor any day and as they are finally moving at 50% capacity we should not have to wait too long for it.

I will update you in about 3 hours with more info.

Regards,

Dan

American Custom Golf Cars
1486 E. Francis St.
Ontario, CA 91761

Tel: 909-597-2885
Fax: 909-597-7183
www.californiaroadster.com

----- Original Message -----

Subject: Re: Moke Eta
From: Charles Krafczek <ckrafczek@gmail.com>
Date: Mon, May 10, 2021 9:55 am
To: "Info@" <info@californiaroadster.com>

Dan - I left you message by phone last week. Can u please provide an update here - Memorial Day is 3 weeks away and I don't even have an eta on these units.

On Thu, Apr 29, 2021 at 1:28 PM Charles Krafczek <ckrafczek@gmail.com> wrote:
Any clarity will help - I have people calling me every day to ask when they can see them in person - been telling everyone the week of May 10 - is this good eta ?? thanks. CK

On Mon, Apr 26, 2021 at 2:18 PM Charles Krafczek <ckrafczek@gmail.com> wrote:
Hi Dan - did our units arrive at your facility ? Hoping to get a firm eta in NJ - customers lined up - Covid has definitely fueled demand here. pls let me know asap. Thanks. Charles

On Thu, Apr 15, 2021 at 4:24 PM Charles Krafczek <ckrafczek@gmail.com> wrote:
Great thanks so much. CK

On Thu, Apr 15, 2021 at 2:10 PM <info@californiaroadster.com> wrote:
I'm waiting for the customs broker to send me the manifest on the container that will be cleared, once I get that I will have color and quantity that I can give to you. Typically to ship from us to NJ is about 4-6 days since it is a common shipping route its pretty easy to get a timely pick up. I should know by tomorrow afternoon the first amount and colors of cars that we will receive for you and then I can update you.

Regards,
Dan

American Custom Golf Cars
1486 E. Francis St.
Ontario, CA 91761
Tel: 909-597-2885
Fax: 909-597-7183
www.californiaroadster.com

----- Original Message -----

Subject: Re: Moke Eta
From: Charles Krafczek <ckrafczek@gmail.com>
Date: Thu, April 15, 2021 10:44 am
To: info@californiaroadster.com

Ok great. So how long to ship from u to NJ ? How many units do u expect in the first amt 6 ?

Thanks. CK

Sent from my iPhone

On Apr 15, 2021, at 1:19 PM, info@californiaroadster.com wrote:

Charles, I can be available around 11am PST. Sorry just got in and read your email. We did finally get a solid date from the harbor that the first of your units will be finally be at the dock on April 25th. so we need them for about a week to do our thing to them and then we can get them to you right after that.

Let me know,
Dan

American Custom Golf Cars
1486 E. Francis St.
Ontario, CA 91761
Tel: 909-597-2885
Fax: 909-597-7183
www.californiaroadster.com

----- Original Message -----

Subject: Re: Moke Eta
From: Charles Krafczek <ckrafczek@gmail.com>
Date: Thu, April 15, 2021 5:53 am
To: "Info@" <info@californiaroadster.com>

Hi Dan - can you chat at 2 pm today eastern which is 10 am your time ? Thanks. CK

On Tue, Apr 13, 2021 at 3:01 PM Charles Krafczek <ckrafczek@gmail.com> wrote:
Sounds good. Thanks. CK

On Tue, Apr 13, 2021 at 12:23 PM Info@ <info@californiaroadster.com> wrote:
Charles, I'm out of the office today but I will call you tomorrow to discuss and update you.

Thank you,
Dan

Sent from my iPhone

On Apr 13, 2021, at 9:20 AM, Charles Krafczek <ckrafczek@gmail.com> wrote:

Hi Dan. Pls let me know when any of the units are shipping. I sold a Red one the other day. Perhaps a call is better to discuss another order and timing for the next order.

Thanks. Charles

Sent from my iPhone

On Mar 23, 2021, at 5:34 PM, Charles Krafczek <ckrafczek@gmail.com> wrote:

Yes please that would be great. Thank you. I am also putting together another order for at least 6 more vehicles. I will be in touch shortly. Thanks again. Charles

On Tue, Mar 23, 2021 at 4:44 PM <info@californiaroadster.com> wrote:

Charles,

We don't stock those but I will get them on order for you right away. To confirm 1 Black with white stripes, 1 navy and white and 1 red and white.

Regards,

Dan

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Ontario, CA 91761

Tel: 909-597-2885

Fax: 909-597-7183

www.californiaroadster.com

----- Original Message -----

Subject: Re: Moke Eta

From: Charles Krafczek <ckrafczek@gmail.com>

Date: Tue, March 23, 2021 12:15 pm

To: "Info@" <info@californiaroadster.com>

Ok great - Also Im not sure if I mentioned but I need a couple specialty tops - 1 Black and White stripe and 1 Navy and White striped and I would like a Red and White Striped as well - do you stock these or do they have to be custom made ?

Thanks. CK

On Tue, Mar 23, 2021 at 3:11 PM <info@californiaroadster.com> wrote:

Charles,

Yes I firmly believe by June 1 you will have them all at your location. We will ship them at the very least 2 at a time for the first few and then try to send the remainder in a full truckload.

Regards,

Dan

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1486 E. Francis St.

Ontario, CA 91761

Tel: 909-597-2885

Fax: 909-597-7183

www.californiaroadster.com

----- Original Message -----

Subject: Re: Moke Eta

From: Charles Krafczek <ckrafczek@gmail.com>

Date: Tue, March 23, 2021 11:41 am
To: "Info@" <info@californiaroadster.com>

Ok thanks - if you had to guess do you think we will have them all by June 1 ? Will you ship them separately to me - or all 12 at once or 6 at a time ? What makes the best sense. I would like to have a couple on hand asap thanks. CK

On Tue, Mar 23, 2021 at 2:17 PM <info@californiaroadster.com> wrote:

Good morning Charles,

Yes I did receive your emails and wow you are on fire with the cars! I am working on getting the delivery dates for you but with the delays in the LA Harbor its been hard to nail down solid dates. The units are coming in mixed containers with other cars and the first container is supposed to finally be at our door on April 6 according to customs and the freight forwarder. I am waiting to hear for the status updates on the remaining cars and as soon as I have them I will get back to you right away. The first couple with trickle in but the rest will come in full load containers for you.

Regards,
Dan

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Tel: 909-597-2885
Fax: 909-597-7183
www.californiaroadster.com

----- Original Message -----

Subject: Moke Eta
From: Charles Krafczek <ckrafczek@gmail.com>
Date: Mon, March 22, 2021 7:15 am
To: "Info@" <info@californiaroadster.com>

Hi Dan, did you receive an Eta on the vehicles - May 2 is the Spring Tide Festival, which is an outdoor festival here and I would like to feature a couple of the cars there.

I have 8 cars spoken for and am considering ordering at least another 6 cars - 3 white 2 black and 1 pale blue - but I would need some assurances as to delivery dates etc - I can't receive them at the end of the summer would need them by July 1 at the latest.

Please update me asap. Thanks so much. CK

--

Charles C. Krafczek
Charles Street Developers, LLC
P.O. Box 482
Stone Harbor, NJ 08247
(609) 408-6799

EXHIBIT 10

scott pollinslaw.com

From: Charles Krafczek <ckrafczek@gmail.com>
Sent: Saturday, May 15, 2021 6:47 AM
To: Info@
Subject: Re: Mike

Please ship to 10017 Sunset Drive, Stone Harbor, NJ 08247

On Sat, May 15, 2021 at 6:36 AM Charles Krafczek <ckrafczek@gmail.com> wrote:

Hi Dan - since there is no sales tax on these in NJ can you send them with documentation that will allow me to title them in my name and then I can just re-sell them again as if they were a used car. In other words just send paperwork as if I was buying them all and titling all of them in my own name - Charles Street Developers, LLC - would that process be any different than the process you just described ?

Thanks. Charles

On Fri, May 14, 2021 at 6:37 PM <info@californiaroadster.com> wrote:

As far as the titling goes, the car will have a 17 digit VIN and we will assign and MCO to it, you would add your name to the back as the Dealer on the top section and then when you sell it you would add the buyer info in the owner 1 section. And then the paperwork is ready for DMV and they would exchange the MCO for the title and registration. The car will come with VIN, Documents, and Rear View Camera to make it up to current NHTSA requirements.

I will get to work on the shipping now so that the brokers can work on it asap to get the pick up set up. Can you confirm the delivery address where you want the car shipped to?

Regards,
Dan

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Ontario, CA 91761
Tel: 909-597-2885
Fax: 909-597-7183
www.californiaroadster.com

----- Original Message -----

Subject: Re: Mike
From: Charles Krafczek <ckrafczek@gmail.com>
Date: Fri, May 14, 2021 2:21 pm
To: "Info@" <info@californiaroadster.com>

Please arrange for shipping to me - thanks - even getting 1 unit here will be very helpful as I can have one to market with to other interested buyers. Hopefully the others are not far behind. How should I handle titling ? Do you just ship with a certificate of origin and then I fill out the buyers' name and take to DMV here ? I assume they all come with a VIN number already ? correct ?

Thanks. CK

On Fri, May 14, 2021 at 5:05 PM <info@californiaroadster.com> wrote:

Not yet, they are programming the controller and testing the car, after that(probably Monday) they will install the rear camera and should be all ready for you by Wednesday for pick up. Were we arranging shipping or did you have someone in mind?

Regards,
Dan

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Ontario, CA 91761
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www.californiaroadster.com

----- Original Message -----

Subject: Mike
From: Charles Krafczek <ckrafczek@gmail.com>
Date: Fri, May 14, 2021 12:39 pm
To: "Info@" <info@californiaroadster.com>

Is that unit ready to ship ? Thx. CK

Sent from my iPhone

--

Charles C. Krafczek
Charles Street Developers, LLC
P.O. Box 482
Stone Harbor, NJ 08247
(609) 408-6799

--

Charles C. Krafczek
Charles Street Developers, LLC
P.O. Box 482
Stone Harbor, NJ 08247
(609) 408-6799

EXHIBIT 11



Invoice

INCOTERM: EX WORKS

Date	Invoice #
5/21/2021	19655

Bill To

Stone Harbor Auto Group, LLC
Charles Krafczek
9410 Second Ave
Stone Harbor, NJ 08247

Ship To

Stone Harbor Auto Group, LLC
Charles Krafczek
10017 Sunset Drive
Stone Harbor, NJ 08247

P.O. Number	Terms	Rep	Ship	Via
		DH	5/21/2021	Freight

Quantity	Item Code	Description	Price Each	Amount
1	D Moke Deluxe	Moke Deluxe Model LSV Exterior Color: White Interior Color: White with Black Piping Chassis Number: EGCAME4292C501899 VIN: 1A9LAEFR1MC596001	12,200.00	12,200.00T
1	D Moke Floor Mat	Moke Floor Mat	220.00	220.00T
1	D Moke Surf	Moke Custom Roof Mounted Surf Rack	375.00	375.00T
1	D Sony	AM/FM CD Sound System with Bluetooth	495.00	495.00T
	No Charge Item	No Charge Item Sound System	-495.00	-495.00
1	Shipping	Shipping Charges Ontario, CA to Stone Harbor, NJ 08247	1,400.00	1,400.00

Subtotal \$14,195.00

Sales Tax (0.0%) \$0.00

Payments/Credits -\$6,441.25

Balance Due \$7,753.75

15% Restocking Fee on all returned items.
Shipping Charges are non-refundable.
1.5% Per month finance charge on all invoices over 30 days past due.

American Custom Golf Cars, Inc.

1486 E. Francis St.
Ontario, CA 91761

www.acgcars.com

909 597-2885
909 597-7183fax

CERTIFICATE OF ORIGIN FOR A VEHICLE

A.C.G., Inc.

DATE	05/21/2021	INVOICE NO.	19655
VEHICLE IDENTIFICATION NO.	1A9LAEFR1MC596001	YEAR	2021
BODY TYPE	LSV	MAKE	A.C.G.
H.P. (S.A.E.)	17.5	SHIPPING WEIGHT	1,250 Lbs.
G.V.W.R.	2000	NO. CYLS.	0
		SERIES OR MODEL	Moke Deluxe LSV

I, the undersigned authorized representative of the company, firm or corporation named below, hereby certify that the new vehicle described above is the property of the said company, firm or corporation and is transferred on the above date and under the Invoice Number indicated to the following distributor or dealer.

NAME OF DISTRIBUTOR, DEALER, ETC.

A.C.G., Inc.
1486 E Francis St
Ontario, CA 91761

This vehicle meets or exceeds the minimal federal safety requirements for low speed vehicles as set forth in the Federal Regulations, Title 49 CFR Part 571.

It is further certified that this was the first transfer of such new vehicle in ordinary trade and commerce.

American Custom Golf Cars, Inc.

BY: [Signature] (SIGNATURE OF AUTHORIZED REPRESENTATIVE) (AGENT)

ACG-3195

Ontario, California
CITY-STATE

	Each undersigned seller certifies to the best of his knowledge, information and belief under penalty of law that the vehicle is new and has not been registered in this or any state at the time of delivery and the vehicle is not subject to any security interests other than those disclosed herein and warrant title to the vehicle. FOR VALUE RECEIVED I TRANSFER THE VEHICLE DESCRIBED ON THE FACE OF THIS CERTIFICATE TO:	
DISTRIBUTION-DEALER ASSIGNMENT NUMBER 1	NAME OF PURCHASER(S) _____	
	ADDRESS _____	
	I certify to the best of my knowledge that the odometer reading is <u>0</u> _____ No Tenths	
	DEALER <u>A.C.G. Inc.</u> <u>#14285</u> BY: <u>Dan Hoogenraad</u> <u>Dan</u> <small>NAME OF DEALERSHIP DEALER'S LICENSE NUMBER</small> State of <u>California</u> Being duly sworn upon oath says that the statements set forth are true and correct. Subscribed and sworn to me before this _____ day of _____ Year _____ County of <u>San Bernardino</u> _____ Notary Public USE NOTARIZATION ONLY IF REQUIRED IN TITLING JURISDICTION	
DISTRIBUTION-DEALER ASSIGNMENT NUMBER 2	NAME OF PURCHASER(S) _____	
	ADDRESS _____	
	I certify to the best of my knowledge that the odometer reading is _____ No Tenths	
	DEALER _____ BY: _____ <small>NAME OF DEALERSHIP DEALER'S LICENSE NUMBER</small> State of _____ Being duly sworn upon oath says that the statements set forth are true and correct. Subscribed and sworn to me before this _____ day of _____ Year _____ County of _____ Notary Public USE NOTARIZATION ONLY IF REQUIRED IN TITLING JURISDICTION	
DISTRIBUTION-DEALER ASSIGNMENT NUMBER 3	NAME OF PURCHASER(S) _____	
	ADDRESS _____	
	I certify to the best of my knowledge that the odometer reading is _____ No Tenths	
	DEALER _____ BY: _____ <small>NAME OF DEALERSHIP DEALER'S LICENSE NUMBER</small> State of _____ Being duly sworn upon oath says that the statements set forth are true and correct. Subscribed and sworn to me before this _____ day of _____ Year _____ County of _____ Notary Public USE NOTARIZATION ONLY IF REQUIRED IN TITLING JURISDICTION	
DISTRIBUTION-DEALER ASSIGNMENT NUMBER 4	NAME OF PURCHASER(S) _____	
	ADDRESS _____	
	I certify to the best of my knowledge that the odometer reading is _____ No Tenths	
	DEALER _____ BY: _____ <small>NAME OF DEALERSHIP DEALER'S LICENSE NUMBER</small> State of _____ Being duly sworn upon oath says that the statements set forth are true and correct. Subscribed and sworn to me before this _____ day of _____ Year _____ County of _____ Notary Public USE NOTARIZATION ONLY IF REQUIRED IN TITLING JURISDICTION	
ODOMETER DISCLOSURE FOR RETAIL SALE	Federal Law requires you to state the odometer mileage in connection with the transfer of ownership. Failure to complete or providing a false statement may result in fines and/or imprisonment.	
	I certify to the best of my knowledge that the odometer reading is the actual mileage of the vehicle unless one of the following statements is checked. Odometer Reading _____ No Tenths. <input type="checkbox"/> The mileage stated is in excess of its mechanical limits. <input type="checkbox"/> The odometer reading is not the actual mileage.	
	WARNING ODOMETER DISCREPANCY	
	Signature(s) of Seller(s) _____ Date of Statement _____ Date of Sale _____ Printed Name(s) of Seller(s) _____ Dealer's No. _____ Being duly sworn upon oath says that the statements set forth are true and correct. Subscribed and sworn to me before this _____ day of _____ Year _____ Signature(s) of Purchaser(s) _____ Printed Name(s) of Purchaser(s) _____ State of _____ Notary Public Company Name (If Applicable) _____ Address of Purchaser(s) _____ County of _____ USE NOTARIZATION ONLY IF REQUIRED IN TITLING JURISDICTION	
LIENHOLDER	1st lien in favor of _____	
	whose address is _____	
	2nd lien in favor of _____	
	whose address is _____	

EXHIBIT 12

On Wed, May 26, 2021 at 12:19 PM <info@californiaroadster.com> wrote:

Charles,

I sent an email to the freight broker to see if they have tracking. I don't think they do because they didn't in the past but maybe things changed. However, they should be calling you in to set up the delivery appointment. Also I will be sending the docs out to you today with UPS overnight so that you receive them tomorrow. I will have the tracking info later today on that. In the meantime can you wire the balance due on the car so that I can send title without lienholder?

Regards,
Dan

American Custom Golf Cars
1486 E. Francis St.
Ontario, CA 91761
Tel: 909-597-2885
Fax: 909-597-7183
www.californiaroadster.com

On Wed, May 26, 2021 at 9:03 PM Charles Krafczek <ckrafczek@gmail.com> wrote:
I can wire the balance on friday morning. I assumed it was COD upon arrival and inspection for damage etc. Please send the title without a lienholder as I am sure you know I am good for the funds and you are still holding approx 60k for the other vehicles. Any other information on the other 11 ?? I am hoping they are all landed in the next week ?? I really need the other white ones and black ones asap. Summer basically starts in here earnest here on Friday.

Thanks. CK

----- Original Message -----

Subject: Re: Moke Eta

From: Charles Krafczek <ckrafczek@gmail.com>

Date: Thu, May 27, 2021 10:40 am

To: "Info@" <info@californiaroadster.com>

Dan, Any word from th shipper - any word on the rest of them from the port - I need to give answers to people here - we are now exactly 6 months from my original order date and wire to you.

On Thu, May 27, 2021 at 3:24 PM <info@californiaroadster.com> wrote:

Charles,

The UPS tracking number for the docs is 1ZV88W3T1330592087. You will receive them tomorrow before 3pm at the 10017 Sunset Drive address.

Regards,
Dan

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1486 E. Francis St.
Ontario, CA 91761
Tel: 909-597-2885
Fax: 909-597-7183
www.californiaroadster.com

On Thu, May 27, 2021 at 5:02 PM Charles Krafczek <ckrafczek@gmail.com> wrote:

Thanks very much hopefully the driver will call soon. Thanks for the email. CK

EXHIBIT 13

From: Charles Krafczek <ckrafczek@gmail.com>
Sent: Tuesday, June 1, 2021 5:13 PM
To: Info@ <info@californiaroadster.com>
Subject: Re: Moke Eta

Any way to track the vehicle. I havent heard from the shipper. Thanks CK

On Wed, Jun 9, 2021 at 6:54 AM Charles Krafczek <ckrafczek@gmail.com> wrote:

Hi Dan. Still no word from the shipper - can u provide tracking info ? Also are the other units in yet. I am thinking that perhaps it's best to get all 11 of them ready and I will come out and look them over and have them picked up with my own transport. I know more were due in June 4. My brother has a place in Manhattan beach so I can coordinate to visit him at the same time.

Please advise. Thanks. Charles

Sent from my iPhone

From: Charles Krafczek <ckrafczek@gmail.com>
Sent: Friday, June 11, 2021 1:26 PM
To: Info@ <info@californiaroadster.com>
Subject: Re: Update

Dan, its 3 weeks now ? Is this really possible - I hate to keep asking but this is crazy ?

--

Charles C. Krafczek
Charles Street Developers, LLC
P.O. Box 482
Stone Harbor, NJ 08247
(609) 408-6799

----- Original Message -----

Subject: Re: ???
From: Charles Krafczek <ckrafczek@gmail.com>
Date: Mon, June 14, 2021 3:49 pm
To: "Info@" <info@californiaroadster.com>

Dan - What is going on ?

Sent from my iPhone

On Mon, Jun 14, 2021 at 7:02 PM <info@californiaroadster.com> wrote:

Charles,
I'm working on the delivery date. The broker we used picked the car up and then ended up trans-loading it mid-route. They promised me that they would have a definite delivery schedule for me by tomorrow. Once I have it I will let you know. We have never had this happen before with this particular broker and I can tell you that we won't be using them again.

Regards,
Dan

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Ontario, CA 91761
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Fax: 909-597-7183
www.californiaroadster.com

From: Charles Krafczek <ckrafczek@gmail.com>
Sent: Saturday, June 19, 2021 9:30 AM
To: Info@ <info@californiaroadster.com>
Subject:

What's the word on the one that shipped and are the other units here yet ? It's now almost July

Sent from my iPhone

From: Charles Krafczek <ckrafczek@gmail.com>
Sent: Monday, June 21, 2021 4:26 PM
To: Info@ <info@californiaroadster.com>
Subject: Re: ???

Hi Dan, please lmk whats up ? Thanks. CK

From: Charles Krafczek <ckrafczek@gmail.com>
Sent: Tuesday, July 6, 2021 12:41 PM
To: Info@ <info@californiaroadster.com>
Subject: Update

Hi Dan - I did not hear back from you. Where do we stand with the one unit that shipped ? Also pls confirm 6 more are arriving this month ?

Thanks. Charles

--

Charles C. Krafczek
Charles Street Developers, LLC
P.O. Box 482
Stone Harbor, NJ 08247
(609) 408-6799

From: Charles Krafczek <ckrafczek@gmail.com>
Sent: Wednesday, July 14, 2021 4:11 PM

To: Info@ <info@californiaroadster.com>
Subject: Delivery

Dan. Please call me with an update. We still have no clarity on the one that was shipped and then dropped in Texas ?? Also what about the next 6 units - where are we ?

Sent from my iPhone

From: Charles Krafczek <ckrafczek@gmail.com>
Sent: Friday, July 16, 2021 7:24 PM
To: Info@ <info@californiaroadster.com>
Subject: 12 Moke Units

Dan, you have repeatedly failed to follow up with me by phone or email on my order or follow through on any of the promises you have made since the get go. I am consistently being strung along with one excuse after another. If I do not hear from you within 48 hrs with definitive proof by way of verifiable documentation that the order for my 12 ACG Moke units was placed immediately after my deposit payment for the same was made in December 2020 along with documentation of shipment from the manufacturer that you procure from in China I will be forced to set up an appointment with the San Bernardino District Attorney's office in order to seek having you and any other principals of ACG, Inc indicted for charges including but not limited to wire and mail fraud. As part of their investigation into this matter I will request that the FBI be brought into the matter because of the amount involved as well as the matter having been conducted across state lines.

In order to avoid going down the road I have set forth above I either need the units or I need my deposit refunded. The ball is in your court. Please advise how you wish to proceed.

Charles Krafczek

Sent from my iPhone

CERTIFICATE OF SERVICE

I, Scott M. Pollins, certify that I served Plaintiff's Motion for a Default Judgment Against All Defendants via First Class U.S. Mail on June 14, 2023 upon Defendants addressed as follows:

American Custom Golfcars, Inc.
1486 E. Francis Street
Ontario, CA 91761

Daniel V. Hoogenraad
7496 Lower Creek Street
Corona, CA 92880

/s/ Scott M. Pollins
Scott M. Pollins